

CV 15 - 0825

ORIGINAL CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Alexander Nino Gonzales  
13-R-1033

Full name of plaintiff/prisoner ID#

Plaintiff,

BLOOM, M.J.

JURY TRIAL DEMAND  
YES  NO

-against-

Judge Roger F. Sagerman/U.S. Immigration Court  
Elsa Gladys Cifuentes Aranzazu/Colombian Consular NY, NY/USA  
Daniel Toro, Shield No. 03664 / New York City Detective

Enter full names of defendants

[Make sure those listed above are  
identical to those listed in Part III.]

Defendants.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ( ) No ( )
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: \_\_\_\_\_  
\_\_\_\_\_

Defendants: \_\_\_\_\_  
\_\_\_\_\_

2. Court (if federal court, name the district;  
if state court, name the county)

\_\_\_\_\_

3. Docket Number: \_\_\_\_\_

FILED  
IN CLERK'S OFFICE,  
U.S. DISTRICT COURT, E.D.N.Y.  
FEB 13 2015  
MATSUNOTO, J.  
BROOKLYN OFFICE

4. Name of the Judge to whom case was assigned: \_\_\_\_\_

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

II. Place of Present Confinement: Cape Vincent Correctional Facility

A. Is there a prisoner grievance procedure in this institution? Yes ( ) No (X)

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes ( ) No ( ) N/A

C. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

\_\_\_\_\_

2. What was the result? \_\_\_\_\_

\_\_\_\_\_

D. If your answer is NO, explain why not \_\_\_\_\_

\_\_\_\_\_

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes ( ) No ( ) N/A

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

\_\_\_\_\_

2. What was the result? \_\_\_\_\_

\_\_\_\_\_

### III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Alexander Nino Gonzales / DIN: 13-R-1033

Address Cape Vincent Correctional Facility  
Route 12E, P.O. Box 739 Cape Vincent, N.Y. 13618

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 4

Defendant No. 5

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

Statement of Claim Number 1.

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

On October 30th, 2014 I appeared in front of Judge F.  
Sagerman of the United States Immigration Court for a  
Deportation Proceeding. While the proceeding was going on  
I showed Judge Sagerman a piece of paper supporting my  
Civil Rights and Judge Sagerman got angry. After that  
Proceeding Judge Sagerman on November 21st, 2014 sent me a  
Notice stating that I should appeal his decision on my  
Deportation Case because I did not appear in Court on  
October 30th, 2014 for the Deportation Proceeding. Just  
because Judge Sagerman got angry with me he arbitrarily  
and maliciously interrupted the Due Process in my case  
and decided with an abusiveness on his power and discretion.  
This is wrong of him for I indeed was in that deportation  
proceeding on October 30th, 2014.

IV. A      If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

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Statement of Claim Number 1. Relief number 1

V. Relief:

State what relief you are seeking if you prevail on your complaint.

Judge Sagerman knowing that my rights were violated and  
did not care. I belief all of us are equal. For this  
reason I demand Three Million Dollars (\$3,000,000.00).

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I declare under penalty of perjury that on 1-20-2015, I delivered this  
(Date)  
complaint to prison authorities to be mailed to the United States District Court for the Eastern  
District of New York.

Signed this 20 day of January, 2015. I declare under penalty of  
perjury that the foregoing is true and correct.

gonzalez Alex

Signature of Plaintiff

Cape Vincent Correctional Facility  
Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

Statement of Claim No. 3

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

On September 13th, 2012 I spoke with Arresting Officer,  
Detective Daniel Toro, Shield Number 03664, of 108th  
Precinct of Long Island City, New York telling him that  
I wanted to speak with my family so that they could find  
me a Lawyer, but in actuality Detective Toro Denied my  
rights and did not let me make a call. I had the right  
to speak with my family and my rights were denied.  
Also, I made a written statement to Detective Toro.  
I told Dectective Toro that I wanted a copy of that  
statement so that I could use it in Court but he never  
gave it to me nor it ever appeared again.  
With these two incidents mentioned above my rights were  
violated.

IV. A      If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

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Statement of Claim relief Number 2

V. Relief:

State what relief you are seeking if you prevail on your complaint.

All my rights were violated by the Colombian Consular,  
Elsa Gladys Cifuentes Aranzazu. and for that simple fact  
I demand Four Million Dollars (\$4,000,000.00).

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I declare under penalty of perjury that on 1-20-2015, I delivered this  
(Date)  
complaint to prison authorities to be mailed to the United States District Court for the Eastern  
District of New York.

Signed this 20 day of January, 2015. I declare under penalty of  
perjury that the foregoing is true and correct.



Signature of Plaintiff

Cape Vincent Correctional Facility  
Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

Statement of Claim Number 2

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

On June 2nd, 2014 I wrote to the Columbian Consular, Elsa Gladys Cifuentes Aranzazu, in New York City to Represent, help, get me Lawyer and advise me as to what was expected to happen with me on my Immigration Case. I received a letter from them saying that they could not help me.  
On October 14, 2014 I sent them another letter so that they could go to the Immigration Court hearing which was for the October 30th, 2014 and they never showed up in court. As a Columbian Citizen I claimed my rights and they denied it. This is improfessional that as a Columbian Consular they never made any efforts to help me at all since I am a Columbian Citizen of their Country.

IV. A

If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

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Statement of Claim Relief No. 3

V. Relief:

State what relief you are seeking if you prevail on your complaint.

For not doing and carrying out his job the way it supposed  
to be. He knowing my rights and for that reason I demand  
Three Million dollars (\$3,000,000.00).

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I declare under penalty of perjury that on 1-20-2015, I delivered this  
(Date)  
complaint to prison authorities to be mailed to the United States District Court for the Eastern  
District of New York.

Signed this 20 day of January, 2015. I declare under penalty of  
perjury that the foregoing is true and correct.

gonzalez Alex

Signature of Plaintiff

Cape Vincent Correctional Facility  
Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

FACTS SHEET NUMBER (1)

On November 21, 2014 I received a letter from Judge Roger Sagerman of the Immigration Court of the United States of America saying that I have to appeal my deportation decision because I did not appear to the deportation hearing.

On October 30th, 2014 I was in the deportation hearing in front of the same judge that sent me the letter.

Because I showed Judge Sagerman a Source of Law (27754 U.S.C.A.) supporting my Legal, Civil and Constitutional Rights he responded angrily and Maliciously.

For this reason he acted in an arbitrary and capricious manner which was an abuse of discretion on his part, where such determination was wholly inconsistent with the facts and circumstances before him which is an unreasonable, unconscionable action taken without proper consideration of facts and law pertaining to the matter submitted.

I am appealing my present Criminal Case. I have already filed Notice of Motion Pursuant to CPLR Section 1101 of New York State to proceed with my Criminal appeal.

Again, I want to mention that I indeed was there in the Hearing on October 30th, 2014 where the judge is saying that I was not there and for that false accusation that I missed the trial is that I am being deported.

DIN.13R1033  
FILE.#a042-517-801.

FIRST CAUSES OF ACTION

Abuse of discretion on deciding to deport me with an Arbitrary and Capricious Manner because Judge Roger Sagerman of Immigration Court got angry when I showed him the paper of Connecticut.

According to the Immigration and ICE announced in 2007, Judge Sagerman violated my rights of the Federal and Constitution Law. My Civil Rights were violated by Federal Honorable Roger Sagerman. I represented myself in court because I don't have any money to pay any lawyer. According to the law we have to be equal of any person, but he didn't in my case. According to the First Amendment and subject to the Jurisdiction thereof, are Citizens of the United States of Equal Protection of Person, of Life, of Liberty...

In 2007 Six Students in the Yale Law School Legal Clinic succeeded in persuading an Immigration Judge to toss out Evidence Against a group of Illegal Immigrants who complained of a warrantless Search. The Judge berated the government for it's egregious disregard of the Immigration Constitution Rights and even though the Government had every right to deport the individuals it opted to let them stay long enough to sue Uncle Sam for violating their rights; in fact U.S. Immigration and Customs enforcement, ICE announced a Policy of not to deport any one who is Engaged in a Legitimate effort to Protect their Civil Rights of Civil Liberties. In the mean time Yale Hometown of New Haven Connecticut... and subject to the Jurisdiction thereof, are Citizen of the United States can not deprive any person of life, Liberty, nor deny to any person within its Jurisdiction the Equal protection of Laws.

According to First, fourth, eighth and fourteenth Amendment.

*gorzalz*

Appeared before me on  
the 1<sup>st</sup> day of December, 2014.

*JOLENE A RADLEY*  
NOTARY PUBLIC

JOLENE A. RADLEY  
Notary Public, State of New York  
Qualified in Jefferson County  
No. 01RA6048982  
Commission Expires Oct. 2, 2018

ALEXANDER GONZALEZ. DIN 13R1033.

according to the federal laws of the united states of america, nor shall any state deprive any person of life, liberty without due process of law nor deny to any person within its jurisdiction the equal protection of laws.

1331, FEDERAL QUESTION THE DISTRICT COURTS SHALL HAVE ORIGINAL JURISDICTION OF ALL CIVIL ACTIONS ARISING UNDER THE CONSTITUTION LAWS OR TREATIES OF THE UNITED STATES OF AMERICA. THE 1983. CIVIL ACTION FOR DEPRIVATION OF RIGHTS NOTES OF DECISIONS . FOR. 42.U.S.C.A.1983 ARE DISPLAYED IN SIX SEPARATE DOCUMENT . NOTES OF DECISION FOR SUBDIVISION ARE CONTAINED IN THIS DOCUMENT OF ADDITIONAL NOTES OF DECISIONS . 1983.

ACCORDING TO THE. ICE.CONNETICUT IN 2007.SIX STUDENT IN THE YALE LAW SCHOOL LEGA CLINIC SUCCEDEENCE IN PERSUADING AN IMMIGRATION. WHO COMPLAINED OF AWARRANTLES SEARCH THE JUDGE BERATED THE GOVERMENT FOR ITS EGREGIUS DISREGARD OF THE IMMIGRATION . CONSTITUTION RIGHTS AND EVEN THOUGH THE GOVERNMENT HAD EVERY RIGHT TO DEPORT THE INDIVIDUALS IT OPTEN TO LET THEM LONG ENOUGH TOSUE UNCLE SAM FOR VIOLATING THEIR RIGHTS IN FACT . US . IMMIGRATION AND CUSTOMS ENFORCEMENT,ICE, ANNOUCED.A. POLICY OF NOT TO DEPORTING ANY ONE WHO IS ENGAGE IN A LEGITIMATE. EFFORT TO PROTECT THEIR CIVIL RIGHTS AND, LIBERTY OF PERSON OF LIFE.,,

THE VIENNA CONVENTION IS INTERNATIONAL LAWS AND THE UNITED . STATES OF THE CONSTITUTION OF THE UNITED STATES ALL TREATIES MADE SHALL THE SUPREME LAW OF THESE TREATIES ARE BINDING ON FEDERALS STATE AND LOCAL GOVERNMENT OFFICIALS TO THE EXTENT. THAT THEY PERTAIN TO MATTERS WITHIN SUCH OFFICIALS COMPETENCE U.S. DEPT. OF STATE CONSULAR NOTIFICATION AND ACCESS INSTRUCTION FOR FEDERAL STATE AND LOCAL LAWS ENFORCEMENT AND OTHER OFFICIALS REGARDING NATIONALS IN THE UNITED STATES AND THE RIGHTS OF . CONSULAR OFFICIALS TO ASSIST THEM.,,

WHEN A U.S.CITIZEN IS ARRESTED ABROAD US CONSULAR OFFICERS ARE EXPECTED TO VISIT THAT PERSON AS SOON AS POSSIBLE US, DEPARTMENT OF STATE FORIEGN MANUAL CECSTION.422.1-1THIS VISIT PROVIDES AN OPPORTUNITY FOR THE CONSULAR OFFICER TO EXPLAIN THE LEGAL AND JUDICIAL PROCEDURES OF THE HOST GOVERNMENT AND THE DETAINEES. RIGH RIGHTS UNDER THAT GOVERNMENT AT A TIME WHEN SUCH INFORMATION IS MOST USEFUL.U.S. DEPARTMENT OF THE STATE ,,,

THE RIGHTS TO CONSULAR ACCESS IS GUARANTEED UNDER THE VIENNA . CONVENTION ON CONSULAR RELATION MULTILATERAL TREATY SIGNED BY. OVER.100.COUNTTIES INCLUDING. THE UNITED STATES. USE THE RIGHTS UNDER A BILATERAL TREATY BETWEEN THE UNITED STATES AND YOUR COUNTRY OF NATIONALITY ARTICLE.36.1.OF THE VIENNA CONVENTION ARTICLE 36.OF THE VIENNA CONVENTION ON CONSULAR RELATION FOR. SEARCH ANY ONE THEY CIVIL RIGHTS NOT BE VIOLATED AND AND . HUMAN RIGHTS TO ASSIT THEM

ALEXANDER GONZALEZ.DIN.13R1033

whether the action bought against respondent of ina.act  
237.A.2.a.iii. meest the ground presented in the nta.its .  
violations.we ask the courts to review during court action the  
dhs again has persented conviction record not defined as official  
document from court proceedings. the dhs entered for evidence the  
nta records of conviction yet has not met with the burden of .  
proof to suport these clain andits been long knowing that when  
the department of justice holds hearings that are bought before  
it for evaluation by the immigration court has always ruled.  
in favor of documentation preseted by such atherities that  
viewing the facts to issue civil determinations the immigration  
court has failed to determine the actual facts record in ..  
redering impartial justice ..  
the courts kwowingly attribute more credibility to documents.  
entered by those authority. placing deliberate indifference.  
on the respondent. it has long knowing that when the .  
immigration authorities .

PLCE A WARRANT UPON AN ALIEN ITIS MORE THAN LIKELY THAT DURING PROCEEDINGS THE  
DEPARTMENT OF JUSTICE WEIGH THE EVIDENCE FAVORABLY TO THE .USICE,DSH.

IN LEAVING THE ALIEN AT THE MERCY OF SUCH AGENCIES .WHEN A CASE THAT INVOLVES  
FEDERALS GUIDELINES OF CIVIL PROCEEDINGS WHICH IS GOVERNED BY THE EVIDENCE  
THAT CANNOT BE FAVAROBLE TO THE PARTIES.

IMMIGRATION COURT PROVVIDES THE ALIEN WHILE IN PROCEEDINGS WITH LEGAL AGENCIES AND .  
THEIR INFORMATION AS TO ALIEN REQUESTING ASSISTANCE FOR THE HANDELING OF  
THIS CIVIL PROCEEDING AND FALLS TO INFORM ALIEN OF HIS RIGHTS TO CONSUL OF COLOMBIA .  
IN THIS MATTER.

Gonzales Nino, Alexander  
13-R-1033  
Cape Vincent Correctional Facility  
Route 12E, P.O. Box 739  
Cape Vincent, N.Y.L 13618

DIN.13R1033

File No. A042-517-801

The Colombian Constitutional law has the most Corruption, subornation and intimidation by the Government in Paramilitary Police Officer. soldier's Security Forces Commit human Rights abuse - the most serious humans problems. Where impunity, an inefficient Judiciary froce desplacement corrutions and society descrimination impuity of civil rights inefficient justice system subuct to the intimidation limited the states ability to prosecute effectively individuals accused of human rights abuses and to bring to trial former members of paramilityry groups the availability of drugstrafficking revenue often exacerbated corruption sciential against person and afor colomains at times restricted the ability of these grous to exercise their rights other problems incluyded and unlawful killings slw presecution for decaded long internal conflict meber of the illigals armed grouops including terrorist and organizations revolotinary armed force ocolombia AARC and the National liberation army E.L.N. as well as organized crime gruops that contained some former paramilitary committred numero abuses inluding tyhe following political killings kilings member of the public security force and local plice officer as well and improvise explosive device kidnappings and force disappearnces subrnation and intimidation of judges prosecutors and witnesses. were no body hads the freedoms and oll countyrof colombia killing abortions harreassment and intimidation human rightys teachers and trade unionests illigals armed groups. continued to be responsible for most killings of person includings the Governmnet the criminal

On November 21, 2014 I received a letter from Judge Roger Sagermand of the Immigration Court of the United States of America saying that I have to appeal my deportation decision because I did not appear to the deportation hearing.

On October 30th, 2014 I was in the deportation hearing in front of the same judge that sent me the letter.

Because I showed Juge Sagerman a Source of Law (27754) U.S.C.A.) supporting my Legal, Civil and Constitutional Rights he responded angrily and Maliciously.

For this reason he acted in an arbitrary and capricious manner which was an abuse of discretion on his part, where such determination was wholly inconsistent with the facts and cercumstances before him which is an unreasonable, unconsciobalbe action taken without proper consideration of facts and law pertaining to the matter submitted.

DIN.13R1033

ALEXANDER GONZALEZ NINO,FILE.042-517-801

according to the federal law of the united states constitution  
the conviction of two or more offenses of any type,plus aggragate  
sentences of imprisonment of at least five years. ina,21-a.2.  
b.u.s.c. 1182.a.2.b. an aliens is indmissible if the aliens is  
convicted of 2.of more offenses regardless of whether.  
the offenses involve contrlled substances or moral turpitude if  
the aggragate sentences to confinement actually imposed five  
years or more has to be at leats,one hondre days plus one.

8.u.s.c.a.1227,,  
alioens conviction for burglary was not crime of moral .  
turpitude for purpose of trasitional.iirira,precluding appeal  
by alien deportable by reason of having committed tow crime  
of moral turpitude inasmch as he was sentenced to only.79.  
days as oppossed to the term of eno yearor more required for  
of moral turpitude,alberto gonzalez,vs,c.a.92000.215f.3d 906.,

the amendment,6,of the united states of america,

of the constitution the united states, and local government  
officials to the extent that they pertain to matter within such  
officials competence ,us department of states consular .  
notification and acces intruction for federal states and local  
law enforcement and other officials regarding forein national  
in the united states and the rights of consular officials to  
assist them ,and

conneticut in 2007 six student in the yale law school legal  
clinic succedence in persuading an immigration who com plained  
of awarrantles search the judge berated the government for its  
egregious disregard of the immigration constitution rights  
and even though the governmrnt had every rightto deport the  
individuals it opten to let them long enough to sue uncle  
sam for violating their right in fact us immigration and customs  
enforcement,ice,annouced.a.policy of not to deporting any one  
who is engage in a legitimate effort to protect their civil  
rights and liberty ,,,,

UNDER BURGLARY IN THE SECOND DEGREE,SUB DIVISION 2.BURGLARY IS VIOLENT  
FOR SENTENCING PURPOSE ONLY HENCE.V.F.O. AND TEH NEW YORK STATE